

### REMARKS

Applicants request favorable reconsideration and allowance of the subject application in view of the preceding amendments and the following remarks.

Claims 7, 8 and 10-12 are presented for consideration. Claim 7 is the sole independent claim. In order to expedite allowance of this application, claims 1, 2, 4-6, 13 and 15 have been canceled without prejudice or disclaimer. Applicants reserve the right to file a divisional application directed to the subject matter of these claims. No new matter has been added.

Applicants note with appreciation that claims 7, 8, and 10-12 have been allowed over the art of record. As discussed above, Applicants have canceled claims 1, 2, 4-6, 13 and 15 without prejudice or disclaimer.

Applicants request favorable reconsideration and withdrawal of the rejections set forth in the above-noted Office Action.

Claims 1, 2, and 4-6 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. The Examiner asserted that these claims do not recite steps which either transform the subject matter or join to another statutory category that accomplishes the method steps. Without conceding the propriety of this rejection, Applicants have canceled claims 1, 2 and 4-6 without prejudice. Accordingly, this rejection has become moot and should be withdrawn. Such favorable indication is requested.

Claims 13 and 15 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Specifically, the Examiner asserted that claim 13, which depends from claim 17, contains no antecedent basis for the recitation of “an exposure apparatus for scanning an object in” and that the recitation in claim 15 of “a method of manufacturing a device” also lacks

antecedent basis. Again, without conceding the propriety of this rejection, Applicants have canceled claims 13 and 15 without prejudice. Accordingly, this rejection has also become moot and should be withdrawn. Such favorable indication is requested.

Applicants submit that all remaining pending claims being allowable, namely, claims 7, 8 and 10-12, this application is in condition for allowance. Applicants request, favorable reconsideration, withdrawal of the rejections set forth in the above-noted Office Action, and an early notice of allowance.

Applicants also request that the Examiner contact their undersigned representative should any matters be deemed outstanding precluding allowance of this application.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should be directed to our address listed below.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Steven E. Warner", is written over a horizontal line.

Attorney for Applicants  
Steven E. Warner  
Registration No. 33,326

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3800  
Facsimile: (212) 218-2200  
SEW/eab

FCHS\_WS 2885889\_1